

REMARKS

The Examiner has rejected each of the independent claims under 35 U.S.C. 102(e) as being anticipated by Kwong et al. (U.S. Patent No.: 6,289,506). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove.

In the Examiner's action, it appears that the Examiner relies on the Kong's teaching of an "underlying operating system" to meet applicant's claimed "programmable platform." Applicant respectfully asserts that Kong's operating system in no way meets applicant's claimed "programmable platform"

To further emphasize such distinction, applicant now claims a programmable platform that includes a "programmable logic hardware device," which is clearly departed from any sort of software operating system taught by Kong.

Only applicant teaches and claims the ability of allowing an application to be integrated with any one of a plurality of distinct types of programmable platforms (including programmable logic hardware devices), utilizing logic situated, at least in part, on a predetermined programmable platform. Such logic includes a platform-independent component capable of interfacing, at least in part, the platform-independent application with any one of the distinct types of programmable platforms. Further included is a platform-dependent component capable of serving in conjunction with the platform-independent component in interfacing the platform-independent application with the predetermined programmable platform (see for example, Claim 20, and similar, but not identical limitations in the remaining independent claims).

Thus, the presently claimed invention allows an application to be integrated with any one of a plurality of FPGA's, CPLD's, SPLD's, or any other type of hardware programmable platforms, as claimed.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Kong reference, for the reasons noted above. It is further noted that the rejections of the dependent claims are replete with deficiencies. Still yet, any claim rejected based on inherency or Official Notice are hereby rebutted. Thus, a notice of allowance or a specific prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.

All of the independent claims are thus deemed allowable along with any claims depending therefrom.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 971-2573. For payment of any additional fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1351 (Order No. EMBP001).

Respectfully submitted,

By: _____

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